

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

-----X

CASE No. -12-12020

RESIDENTIAL CAPITAL, LLC

-----X

RELIEF FROM STAY – REAL ESTATE AND
COOPERATIVE APARTMENTS

Tina Mathis

I

HEREBY

DECLARE (OR CERTIFY, VERIFY, OR STATE):

BACKGROUND INFORMATION

1. REAL PROPERTY OR COOPERATIVE APARTMENT ADDRESS WHICH IS THE SUBJECT OF THIS
MOTION: **8809 GREYLAG LOOP, BLACKLICK, OHIO**

2. LENDER NAME: **Bank of America, N.A.**

3. DATE OF MORTGAGE: **3/19/2008**

4. POST-PETITION PAYMENT ADDRESS:

**Carrington Mortgage Services
1610 E. St. Andrew Place, #B150
Santa Ana, CA 92705**

DEBT/VALUE REPRESENTATIONS

5. TOTAL PRE-PETITION AND POST-PETITION INDEBTEDNESS OF DEBTOR(S) TO MOVANT AT
THE TIME OF FILING THE MOTION: **\$ 261,406.67 as of 08/28/2014**

(Note: this amount may not to be relied on as a “payoff” quotation.)

6. MOVANT’S ESTIMATED MARKET VALUE OF THE REAL PROPERTY OR COOPERATIVE
APARTMENT: **\$ 199,000.00**

7. SOURCE OF ESTIMATED VALUATION: **BROKER PRICE OPINION**

**STATUS OF DEBT AS OF
THE PETITION DATE**

8. TOTAL PRE-PETITION INDEBTEDNESS OF DEBTOR(S) TO MOVANT AS OF PETITION FILING
DATE: \$223,005.27 as of 5/14/12

A. AMOUNT OF PRINCIPAL: \$162,705.66

B. AMOUNT OF INTEREST: \$32,202.17

C. AMOUNT OF ESCROW (taxes and insurance): \$26,146.44

D. AMOUNT OF FORCED PLACED INSURANCE EXPENDED BY MOVANT:
\$ 0

E. AMOUNT OF ATTORNEYS' FEES BILLED TO DEBTOR(S) PRE-PETITION:
\$ 0

F. AMOUNT OF PRE-PETITION LATE FEES, IF ANY, BILLED TO DEBTOR(S):
\$ 0

9. CONTRACTUAL INTEREST RATE: 6.25% (If interest rate is (or was)
adjustable, please list the rate(s) and date(s) the rate(s) was/were in effect on a separate
sheet and attach the sheet as an exhibit to this form; please list the exhibit number
here: ____.)

10. PLEASE EXPLAIN ANY ADDITIONAL PRE-PETITION FEES, CHARGES OR AMOUNTS
CHARGED TO DEBTOR'S/DEBTORS' ACCOUNT AND NOT LISTED ABOVE:

BK Attorney Fees & Costs = \$1,951.00

(If additional space is needed, please list the amounts on a separate sheet and attach the
sheet as an exhibit to this form; please list the exhibit number here: ____.)

**AMOUNT OF ALLEGED POST-PETITION DEFAULT
(AS OF 10/01/2014)**

11. DATE LAST PAYMENT WAS RECEIVED: No Post Petition Payments received

12. ALLEGED TOTAL NUMBER OF PAYMENTS DUE POST-PETITION FROM FILING OF PETITION THROUGH PAYMENT DUE ON <10/01/2014>: 29 payments.

13. PLEASE LIST ALL POST-PETITION PAYMENTS ALLEGED TO BE IN DEFAULT:

| ALLEGED PAYMENT DUE DATE | ALLEGED AMOUNT DUE | AMOUNT RECEIVED | AMOUNT APPLIED TO PRINCIPAL | AMOUNT APPLIED TO INTEREST | AMOUNT APPLIED TO ESCROW | LATE FEE CHARGED (IF ANY) |
|-----------------------------------|--------------------------|--------------------|--------------------------------------|-------------------------------------|-----------------------------------|---------------------------------|
| 06/01/12 | \$1,435.13 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | |
| 07/01/12 | \$1,435.13 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | |
| 08/01/12 | \$1,435.13 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | |
| 09/01/12 | \$1,435.13 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | |
| 10/01/12 | \$1,435.13 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | |
| 11/01/12 | \$1,435.13 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | |
| 12/01/12 | \$1,435.13 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | |
| 01/01/13 | \$1,435.13 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | |
| 02/01/13 | \$1,435.13 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | |
| 03/01/13 | \$1,435.13 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | |
| 04/01/13 | \$1,435.13 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | |
| 05/01/13 | \$1,435.13 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | |
| 06/01/13 | \$1,435.13 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | |
| 07/01/13 | \$1,435.13 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | |
| 08/01/13 | \$2,788.81 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | |
| 09/01/13 | \$2,788.81 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | |
| 10/01/13 | \$2,788.81 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | |
| 11/01/13 | \$2,788.81 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | |
| 12/01/13 | \$2,788.81 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | |
| 01/01/14 | \$2,788.81 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | |
| 02/01/14 | \$2,788.81 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | |
| 03/01/14 | \$2,788.81 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | |
| 04/01/14 | \$2,788.81 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | |
| 05/01/14 | \$2,788.81 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | |
| 06/01/14 | \$1,855.86 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | |
| 07/01/14 | \$1,855.86 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | |

| | | | | | | |
|----------------|--------------------|---------------|---------------|---------------|---------------|--|
| 08/01/14 | \$1,855.86 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | |
| 09/01/14 | \$1,855.86 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | |
| 10/01/14 | \$1,795.85 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | |
| TOTALS: | \$57,199.21 | \$0.00 | \$0.00 | \$0.00 | \$0.00 | |

14. AMOUNT OF MOVANT'S ATTORNEYS FEES BILLED TO DEBTOR FOR THE PREPARATION, FILING AND PROSECUTION OF THIS MOTION: \$500.00

15. AMOUNT OF MOVANT'S FILING FEE FOR THIS MOTION: \$ 176.00

16. OTHER ATTORNEYS' FEES BILLED TO DEBTOR POST-PETITION: \$0

17. AMOUNT OF MOVANT'S POST-PETITION INSPECTION FEES: \$0

18. AMOUNT OF MOVANT'S POST-PETITION APPRAISAL/BROKER'S PRICE OPINION: \$0

19. AMOUNT OF FORCED PLACED INSURANCE OR INSURANCE PROVIDED BY THE MOVANT POST-PETITION: \$ 0

20. SUM HELD IN SUSPENSE BY MOVANT IN CONNECTION WITH THIS CONTRACT, IF APPLICABLE: \$ 0

21. AMOUNT OF OTHER POST-PETITION ADVANCES OR CHARGES, FOR EXAMPLE TAXES, INSURANCE INCURRED BY DEBTOR ETC.: \$ 0

REQUIRED ATTACHMENTS TO MOTION

Please attach the following documents to this motion and indicate the exhibit number associated with the documents.

(1) Copies of documents that indicate Movant's interest in the subject property. For purposes of example only, a complete and legible copy of the promissory note or other debt instrument together with a complete and legible copy of the mortgage and any assignments in the chain from the original mortgagee to the current moving party. (Exhibit ____.)

(2) Copies of documents establishing proof of standing to bring this Motion. (Exhibit ____.)

(3) Copies of documents establishing that Movant's interest in the real property or cooperative apartment was perfected. For the purposes of example only, a complete and legible copy of the Financing Statement (UCC-1) filed with either

the Clerk's Office or the Register of the county the property or cooperative
apartment is located in. (Exhibit _____.)

CERTIFICATION FOR BUSINESS RECORDS

I CERTIFY THAT THE INFORMATION PROVIDED IN THIS WORKSHEET AND/OR ANY EXHIBITS
ATTACHED TO THIS WORKSHEET (OTHER THAN THE TRANSACTIONAL DOCUMENTS
ATTACHED AS REQUIRED BY PARAGRAPHS 1, 2 AND 3, IMMEDIATELY ABOVE) IS DERIVED
FROM RECORDS THAT WERE MADE AT OR NEAR THE TIME OF THE OCCURRENCE OF THE
MATTERS SET FORTH BY, OR FROM INFORMATION TRANSMITTED BY, A PERSON WITH
KNOWLEDGE OF THOSE MATTERS, WERE KEPT IN THE COURSE OF THE REGULARLY
CONDUCTED ACTIVITY; AND WERE MADE BY THE REGULARLY CONDUCTED ACTIVITY AS A
REGULAR PRACTICE.

I FURTHER CERTIFY THAT COPIES OF ANY TRANSACTIONAL DOCUMENTS ATTACHED TO THIS
WORKSHEET AS REQUIRED BY PARAGRAPHS 1, 2 AND 3, IMMEDIATELY ABOVE, ARE TRUE
AND ACCURATE COPIES OF THE ORIGINAL DOCUMENTS.


Tina Mathis

DECLARATION

Carrington Mortgage Services, LLC

I _____ <NAME AND TITLE> OF _____ <NAME
OF MOVANT> HEREBY DECLARE (OR CERTIFY, VERIFY, OR STATE) PURSUANT 28 U.S.C.
SECTION 1746 UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT
BASED ON PERSONAL KNOWLEDGE OF THE MOVANT'S BOOKS AND BUSINESS RECORDS.

EXECUTED AT Santa Ana <CITY/TOWN>, CA <STATE> ON THIS 23rd DAY OF
October <MONTH>, 20 14 <YEAR>.


NAME: _____
TITLE: Tina Mathis
Bankruptcy Manager
CARRINGTON MORTGAGE SERVICES AS
SERVICING AGENT FOR BANK OF AMERICA, N.A.
ADDRESS: 1610 E. St. Andrew Place, # B150
Santa Ana, CA 92705